

AG Contract No. KR98 0929TRN  
ADOT ECS File No. JPA 98-33  
Project: P0300 04P  
Section: Sahuarita Small Area  
Transportation Study

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE TOWN OF SAHUARITA

THIS AGREEMENT is entered into 13 July, 1998,  
pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the  
STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State")  
and the TOWN OF SAHUARITA, acting by and through its MAYOR and TOWN COUNCIL, (the "Town").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The Town is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Town.

3. The State and the Town desire to jointly participate in selecting and hiring a consultant to conduct a Sahuarita area transportation study, all in accordance with the Scope of Work, which is attached hereto as Exhibit A and made a part hereof, at an estimated cost of \$20,000 00, hereinafter referred to as the Project.

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

NO. 22480  
Filed with the Secretary of State  
Date Filed: 07/13/98  
Betty Gayles  
Secretary of State  
By Nicky D. Guenewald

## II. SCOPE

### 1. The State will:

- a. Using State approved procurement procedures, participate with the Town in the selection of a professional engineering transportation planning consultant to accomplish the Project.
- b. Review Project progress reports and submittals and provide comments to the Town or the consultant as appropriate. Review and approve the final report prior to the Town's final payment to the consultant.
- c. Contribute a maximum of \$10,000.00 to the Project. Be responsible for any consultant claims for extra compensation attributable to the State.
- d. No more often than monthly, reimburse the Town on an actual cost basis, in a total amount not to exceed \$10,000.00, within 30 days after receipt and approval of invoices.

### 2. The Town will:

- a. Using State approved procurement procedures, advertise for, and with the concurrence of the State, select and hire a professional transportation planning consultant to accomplish the Project. Be the lead agency for the Project. Strictly comply with all state and federal procurement laws, rules and procedures.
- b. Provide the State timely copies of Project progress reports and submittals, and insure the incorporation of State review comments. Provide the State a copy of the final report, and obtain the State's approval prior to making final payment to the consultant. Accept the final report on behalf of the parties hereto.
- c. Be responsible for all Project costs over and above the State's share of \$10,000.00, in an amount currently estimated at \$10,000.00, and for any consultant claims for extra compensation attributable to the Town.
- d. No more often than monthly, invoice the State, in the form of Exhibit B, on an actual cost basis, with no profit or fee, in a total amount not to exceed \$10,000.00, for the State's share of the project.

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the award of a Project consultant contract, upon thirty (30) days written notice to the other party.
2. This agreement shall become effective upon filing with the Secretary of State.
3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.
4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

Town of Sahuarita  
Town Manager  
Box 879  
Sahuarita, AZ 85629

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

TOWN OF SAHUARITA

STATE OF ARIZONA  
Department of Transportation

By

  
VIVIAN TIEMEIER  
Mayor

By

  
JAY KLAGGE, Director  
Transportation Planning

ATTEST

By

  
ANNE W. PARRISH  
Town Clerk

RESOLUTION

BE IT RESOLVED on this 14th day of May 1998, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the Town of Sahuarita for the purpose of defining responsibilities for conducting a small area transportation study.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Director of Transportation Planning for approval and execution.

A handwritten signature in black ink, appearing to read "D. Allocco", written over a horizontal line.

DAVID ALLOCCO, Manager  
Engineering Technical Group  
for Mary E. Peters, Director

## SAHUARITA RESOLUTION NO. 1998-19

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A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SAHUARITA, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF SAHUARITA AND THE ARIZONA DEPARTMENT OF TRANSPORTATION TO ESTABLISH A TRANSPORTATION STUDY WITHIN THE SAHUARITA AREA.

WHEREAS, the State of Arizona and the Town of Sahuarita are authorized to enter into intergovernmental agreements pursuant to A.R.S. §§28-401, 28-334, and 48-572; and

WHEREAS, it is in the best interests of the citizens of the Town to conduct a small area transportation study to determine transportation needs of the Sahuarita area.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Sahuarita, Arizona, that the Town is authorized to enter into an Intergovernmental Agreement with the Arizona Department of Transportation for the purpose of defining responsibilities for conducting a small area transportation study within the Sahuarita area.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign said Intergovernmental Agreement on behalf of the Town.

PASSED AND ADOPTED by the Mayor and Council of the Town of Sahuarita, Arizona, this 11<sup>th</sup> day of June, 1998.

ATTEST:



Anne W. Parrish  
Town Clerk

  
Mayor VIVIAN J. TIEMEIER

APPROVED AS TO FORM:

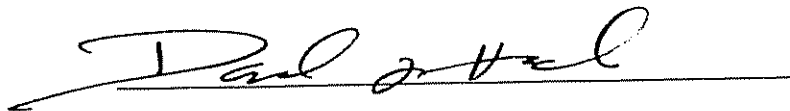


Daniel J. Hochuli  
Town Attorney

APPROVAL OF THE SAHUARITA TOWN ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION and the TOWN OF SAHUARITA and declare this agreement to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona.

DATED this 10 day of JUNE, 1998.

A handwritten signature in cursive script, appearing to read "Paul J. Hall", is written over a horizontal line.

Town Attorney

# **Sahuarita Small Area Transportation Study**

## **Scope of Work**

May 5, 1998

### **A. Project Management**

A project management plan will be prepared to define the key elements of the project, the participants, their roles, and the project time line. Project deliverables and review/approval dates will also be included. The goal of the management plan is to create a tool that guides and monitors the project from its initiation through adoption, and ultimately through implementation of recommendations. A technical advisory committee (TAC) consisting of Town staff, ADOT representatives (TPD and Tucson District), and a citizen or elected official will help guide the study and review preliminary work products.

A minimum of two meetings will be held with the TAC and the Consultant. The Consultant will meet with the TAC at the beginning of the project to review the scope of work. Second, the Consultant will meet with the TAC to review the final draft of the study.

### **B. Refine the Management Plan**

A major objective of the first TAC meeting is to assure that the Consultant and the TAC share a similar understanding of the study's scope of work. The Consultant should present the detailed management plan to the TAC for review and comment. This presentation should include the following.

1. A refined definition of the study area.
2. A map showing the major roads and streets that will be addressed by this study.
3. A map showing activity centers with associated traffic generation.
4. A map depicting the study's traffic and turning movement count locations.
5. The detailed management plan, including work flow charts.
6. The project schedule.

TAC approval of the management plan, project schedule, and study area definition is necessary to proceed with the study.

### **C. Existing Conditions Analysis**

Review the Town's development files to create a comprehensive database of land use commitments, traffic studies, and proposed roadway improvements. Review and summarize each plan and report, and create a composite map showing the interrelationship between the plans and programs. Identify each plan and project in a manner that can be continued by Town staff as development in the Town continues. Include current plans and programs of Pima County, the Pima Association of Governments, and ADOT. Provide a color-coded key to the projects and their location. Graphics will be approximately 11x17 inches and utilize a current aerial photograph of the Town as a base. Work will be performed in Microsoft Word, Excel, and Corel Draw 7.

The Town of Sahuarita and the Arizona Department of Transportation have stated their willingness to provide, as appropriate, readily available information germane to this study.

The Town of Sahuarita and ADOT will provide recent traffic counts of record.

The Town of Sahuarita will provide limited staff assistance to the Consultant as appropriate.

The Town of Sahuarita will provide existing and future development related data.

The Consultant is responsible for additional traffic and turning movement counts.

The Consultant is responsible for recent aerial photography to be used in the project.

### **D. Travel Demand Forecasting**

Prepare a computer-based travel demand model using the QRSII software. The model will be based upon the one developed for the Continental Road design concept report, and expanded to include the Sahuarita SATS study area. The socio-economic elements of the model will be based on PAG regional population and employment forecasts and information derived from the land use inventory, above. The model is expected to have about 50 TAZs, 12 external stations, and the Towns transportation system for functional classification of collector through major arterial. The I-19 corridor will be included in the model and three interchanges are expected to be included.



A baseline mode will be calibrated using the most current available traffic counts. A future conditions model (year 2003, 2010, 2020, as appropriate) will be prepared using the baseline model modified for future transportation system and socio-economic conditions. The PAG MTP 2020 network will be used as the future system.

## **E. Needs Assessment**

The first step in needs assessment is defining acceptable performance standards. We expect to use level of service as the primary index. Using the inventory and the model output, the system performance will be compared with performance standards, and then needed improvements will be identified. A list of short, mid and long range needs and approximate costs, community support, public development goals, and private development goals will be established. Then, working with the advisory committee, the lists will be prioritized. A color-coded map showing the recommended improvements will be prepared.

Some needs may be policy-orientated rather than construction related. This could include revenue enhancement strategies, land use review and coordination, and planning procedures. Policies and construction projects will be separated in the needs assessment.

## **F. Implementation Strategies**

Once the prioritized needs are identified, implementation strategies will be defined for each set of improvements. These strategies will include project timing, including short, mid and long range, as appropriate, funding source(s), and project co-participants, if any.

## **G. Public Involvement**

The public involvement element is critical to the success of the project. Public outreach will be achieved through two public workshops, one at the beginning of the project to elicit general input on transportation concerns and concepts, and one towards the end for public comment on the preliminary recommendations. Town staff will be responsible for this work element with technical support from the consultant.

## H. Address Title VI Concerns

On February 11, 1994 President Clinton issued Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations. This Order establishes environmental justice as a federal government priority. This study will address environmental justice issues in the following manner.

1. The transportation improvement projects recommended in this study may differentially affect the Town of Sahuarita workers and residents. This study will examine the effects these projects are likely to have on minority populations. Census information provides readily available information describing the population living within geographic regions affected by proposed transportation improvements. This census information enables graphic representation of minority and low income populations in the study area.
2. Identify and discuss environmental justice issues and concerns that bear on this transportation study. Discuss how the recommended projects will potentially affect minority populations. Describe the likely effects, both positive and negative, and the magnitude of these effects. Should any of the projects place a disproportionate burden on minority or low income populations, explain the considerations that dictated this recommendation over alternative actions.
3. Make a concerted effort to reach minority and low income populations when conducting the study's public workshops and meetings.
4. Document the study's public participation process, including efforts to address environmental justice issues and concerns.





STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

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TELECOPIER : 542-4085

GRANT WOODS  
ATTORNEY GENERAL

**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR98-0929TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATE July 7, 1998.

GRANT WOODS

Attorney General

JAMES R. REDPATH

Assistant Attorney General

Transportation Section

JRR:ggt:13521

Enc.